

STATEMENT OF CONSIDERATION RELATING TO  
907 KAR 15:025

Department for Medicaid Services  
Amended After Comments

(1) A public hearing regarding 907 KAR 15:025 was not requested and; therefore, not held.

(2) The following individuals submitted written comments regarding 907 KAR 15:025:

<u>Name and Title</u>	<u>Organization/Agency/Other Entity</u>
Lisa Jagnow	Department for Behavioral Health, Developmental and Intellectual Disabilities, (DBHDID), Office of Mental Health and Substance Use Services
Natalie Kelly, Director	DBHDID, Division of Behavioral Health

(3) The following individual from the promulgating agency responded to comments received regarding 907 KAR 15:025:

<u>Name and Title</u>	<u>Organization/Agency/Other Entity</u>
Stuart Owen, Regulation Coordinator	Department for Medicaid Services

SUMMARY OF COMMENTS AND AGENCY'S RESPONSES

(1) Subject: Licensed Behavior Analysts/Licensed Assistant Behavior Analysts and Screenings/Crisis Intervention

(a) Comment: Lisa Jagnow and Natalie Kelly of the Department for Behavioral Health, Developmental and Intellectual Disabilities (DBHDID) requested that licensed behavior analysts and licensed assistant behavior analysts be added as practitioners authorized to provide a screening and crisis intervention services – which is addressed in Section 2(2).

(b) Response: The associated state plan amendment does not authorize licensed behavior analysts or licensed assistant behavior analysts to provide screenings or crisis intervention services; therefore, the Department for Medicaid Services (DMS) is not amending the administrative regulation to authorize them to provide these services.

(2) Subject: Licensed Behavior Analysts/Licensed Assistant Behavior Analysts and Family Outpatient Therapy

(a) Comment: Lisa Jagnow and Natalie Kelly of DBHDID requested that licensed behavior analysts and licensed assistant behavior analysts be added as practitioners authorized to provide Family outpatient therapy – which is addressed in Section 2(6).

(b) Response: The associated state plan amendment does not authorize licensed behavior analysts or licensed assistant behavior analysts to provide family outpatient therapy; therefore, DMS is not amending the administrative regulation to authorize them to provide the service.

(3) Subject: Certified Alcohol and Drug Counselors

(a) and (b) Comment and Response: Via an “amended after comments” administrative regulation, DMS is adding certified alcohol and drug counselors (CADCs) to practitioners authorized to provide assessments, individual outpatient therapy, group outpatient therapy, family outpatient therapy, and collateral outpatient therapy. Reimbursement to a behavioral health services organization for these services rendered by a CADC will be 52.5% of the rate on the Kentucky-specific Medicare Physician Fee Schedule for the service.

(4) Subject: Typographical Error

(a) Comment: Lisa Jagnow and Natalie Kelly of DBHDID noted that a closing parenthesis is missing in a phrase in (5)(a) of the Regulatory Impact Analysis and Tiering Statement on page 14.

(b) Response: As DMS is filing an “amended after comments” administrative regulation regarding CADCs, DMS will insert the closing parenthesis in the Regulatory Impact Analysis and Tiering Statement of the amended after comments administrative regulation.

#### SUMMARY OF STATEMENT OF CONSIDERATION AND ACTION TAKEN BY PROMULGATING ADMINISTRATIVE BODY

The Department for Medicaid Services (DMS) has considered the comments received regarding 907 KAR 15:025 and is amending the administrative regulation as follows:

Page 4

Section 2(3)(d)6

Line 22

After “supervisor;”, delete “or”.

Page 4  
Section 2(3)(d)7  
Line 1

After “supervisor”, insert the following:

; or

8. Certified alcohol and drug counselor working under the supervision of a billing supervisor

Page 6  
Section 2(5)(d)6  
Line 16

After “supervisor;”, delete “or”.

Page 6  
Section 2(5)(d)7  
Line 18

After “supervisor”, insert the following:

; or

8. Certified alcohol and drug counselor working under the supervision of a billing supervisor

Page 8  
Section 2(6)(d)5  
Line 21

After “supervisor;”, delete “or”.

Page 8  
Section 2(6)(d)6  
Line 23

After “supervisor”, insert the following:

; or

7. Certified alcohol and drug counselor working under the supervision of a billing supervisor